

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
BRUCE WESOLEK,)
)
Defendant.)

CASE NO. CR06-429 RSL

DETENTION ORDER

Offenses charged:

- Count I: Possession with Intent to Distribute Methamphetamine, in violation of Title 21, U.S.C., Sections 841(a) and 841(b)(1)(C);
- Count II: Use of a Communication Facility to Facilitate Drug Offense, in violation of Title 21, U.S.C., Section 843(b); and
- Count III: Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, U.S.C., Section 924(c)(1).

Date of Detention Hearing: January 5, 2006

The Court, having conducted a contested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant

1 can meet will reasonably assure the appearance of the defendant as required and the safety
2 of any other person and the community. The Government was represented by John
3 Lulejian. The defendant was represented by Paula Olson.

4 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 5 (1) The drug offense with which defendant is charged in Count I carries a
6 mandatory minimum sentence of ten years. There is therefore a
7 rebuttable presumption that defendant will be detained.
- 8 (2) Defendant has a criminal history which includes an active warrant and
9 two recent failures to appear. His state court record reflects a history of
10 non-compliance.
- 11 (3) The nature of the instance offense involves a controlled substance and a
12 firearm, defendant is therefore viewed a risk of danger to the community.
- 13 (4) Due to defendant's history of substance abuse and apparent unsuccessful
14 drug treatment attempts, defendant is not a good candidate for release at
15 this time.

16 Based upon the foregoing information, it appears that there is no condition or
17 combination of conditions that would reasonably assure future Court appearances and/or
18 the safety of other persons or the community.

19 **It is therefore ORDERED:**

- 20 (1) The defendant shall be detained pending trial and committed to the
21 custody of the Attorney General for confinement in a correction facility
22 separate, to the extent practicable, from persons awaiting or serving
23 sentences or being held in custody pending appeal;
- 24 (2) The defendant shall be afforded reasonable opportunity for private
25 consultation with counsel;
- 26 (3) On order of a court of the United States or on request of an attorney for

1 the Government, the person in charge of the corrections facility in which
2 the defendant is confined shall deliver the defendant to a United States
3 Marshal for the purpose of an appearance in connection with a court
4 proceeding; and

- 5 (4) The clerk shall direct copies of this order to counsel for the United
6 States, to counsel for the defendant, to the United States Marshal, and to
7 the United States Pretrial Services Officer.

8 DATED this 8th day of January, 2007.

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11 MONICA J. BENTON
12 United States Magistrate Judge
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